

# TREATY TIMES



**SPRING 2006**  
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## **CAPTAIN'S CORNER**

*Anytime ... Anywhere ... Every  
Milestone.*

This issue of Treaty Times is concerned with the Naval Treaty Implementation Program's (NTIP's) methodologies for dealing with some of the treaties and agreements that affect all Navy and Marine Corps organizations. With over 60 treaties currently in force, it is very likely that every organization, at some point, will deal with a treaty or international agreement. It is NTIP's charter to provide implementation expertise to the Department of the Navy across the broad spectrum of treaties and agreements.

Around the globe today: Open Skies flights are being conducted weekly over a variety of nations - Russia will over-fly the U.S. four times this year; the International Atomic Energy Agency (IAEA) has identified concerns in both Iran and North Korea; the world's navies deal with pirates violating international law of the high seas on a daily basis; and, more international interest is being focused on the issues of small arms proliferation. It is extremely difficult for our Sailors and Marines to understand

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each and every treaty, agreement, and law currently in force. However, we expect each Sailor and Marine to react flawlessly in every situation and uphold the proud and law-abiding traditions of the United States. This is true for every ship, unit, base, and Program Manager. NTIP is here to help.

NTIP provides training on a variety of subjects, from planning for an Open Skies overflight to preparing for onsite challenge inspections for chemical weapons. The training discusses support provided by the NTIP staff;

actions on the part of the affected organization or facility; and, first-order understanding of the treaty (or treaties). This training is available upon request and at no cost to the requesting agency.

Also, when needed, NTIP provides fly-away teams to help train organizations undergoing inspections, to include training during preparation for inspection teams and just-in-time training throughout the inspection process.

The next level of preparation is in the form of template response plans and forms, guiding individual organizations through response preparation and additional training for local personnel. These response plans, treaty papers, and inspection form can be obtained from NTIP ([ntip@ssp.navy.mil](mailto:ntip@ssp.navy.mil)) or are available on the web at [www.ntip.navy.mil](http://www.ntip.navy.mil).

The NTIP staff is prepared to support your organization in development and implementation of local plans and forms.

Finally, in recent years, treaties and agreements are having a larger impact in weapon research and development programs and in operational activities. To ensure that your program is compliant and ready for the next milestone review, NTIP provides the Navy's Arms Control certification service, and is active and engaged from "cradle to grave." The NTIP Compliance Assessment Program provides information in this Treaty Times on how to use their resources and expertise as a necessary supplement and extension of your staff to ensure and certify compliance and readiness for each milestone review.

*Anytime ... Anywhere ... Every Milestone.*

NTIP is the Navy's Treaty Compliance Center of Excellence. Contact us with questions, comments, or training requests.

*We exist to help the fleet.*

## **CHEMICAL WEAPONS CONVENTION (CWC)**

### ***Facility Point of Contact Plays Crucial Role in CWC Challenge Inspections***

Challenge inspections are designed to clarify and resolve questions concerning non-compliance with the Chemical Weapons Convention (CWC). The CWC's innovative verification procedures distinguish it significantly from other arms control treaties. Characterized by the "any time, any where" concept, these inspection provisions make the CWC the most intrusive arms control treaty ever ratified

by the United States. In keeping with the Department of the Navy's (DON's) centralized approach to CWC challenge inspections, the Naval Treaty Implementation Program (NTIP) has developed and distributed a "DON Inspection Readiness Plan (IRP) for Department of the Navy Facilities in Response to Chemical Weapons Convention Challenge Inspections." This plan is distributed to over 350 Navy

and Marine Corps facilities worldwide. It provides guidance in the form of detailed checklists that assist Commanders and their staffs prepare and execute all tasks associated with challenge inspections. Two videos are also distributed with the IRP: (1) An overview of CWC Challenge Inspection preparations titled, *“Preparing DON Facilities for a Chemical Weapons Convention Challenge Inspection,”* and (2) a video on securing the base, also known as “self-monitoring,” titled, *“Introduction to Self-Monitoring in Response to a CWC Challenge Inspection.”*

A key element of the DON’s centralized approach to challenge inspections is the identification of a CWC facility Point of Contact (POC) at each Navy and Marine Corps facility. These facility POCs should review and familiarize themselves with the IRP and its accompanying videos prior to a potential challenge inspection. NTIP staff will likely contact the facility POC first in the event of a challenge inspection. The Commanding Officer, tenant Commanding Officers, and other facility personnel will depend on the POC to coordinate the initial stages of the challenge inspection until the arrival of the Tiger Team, which is comprised of treaty subject matter experts. Commanding Officers will likely request POCs to conduct initial briefings regarding the requirements of the CWC challenge inspection as well its potential impact on operations. The POC’s assessment of operational impact is particularly important, as challenge

inspections can last up to 10 days and, if not properly coordinated, may significantly disrupt daily operations.

The POC’s familiarity with the facility’s infrastructure and tenant commands will be an invaluable resource for the Commander in responding to initial information requests, developing a vulnerability assessment, and acting as a liaison with tenants commands and NTIP. The POC will assist the NTIP staff collect the most current facility information including updated maps, names of key personnel, email addresses, phone numbers, and postal addresses. In particular, the POC’s established and open relationship with NTIP will be essential to the mission success of the command, as the POC is the vital communications node between NTIP and the command.

An interactive CD containing essential background material on the requirements of a CWC challenge inspection and the DON methodology is available and will be distributed to POCs this summer. The CD is designed to assist the POC successfully support their command in accomplishing the specific tasks required during the challenge inspection.

The DON CWC Treaty Manager and his staff are prepared to answer any questions you might have related to the duties and responsibilities of the CWC POC for your facility. For further information on subjects discussed in this article, please contact NTIP at (703) 601-9646 or email at [ntip@ssp.navy.mil](mailto:ntip@ssp.navy.mil).

# OPEN SKIES (OS)

## *Navy Implementation Methodology for the Treaty on Open Skies*

Department of the Navy (DON) implementation methodology for the Treaty on Open Skies (OS) consists largely of two components: (1) Notification of Treaty related flight activity and (2) Outreach to potentially affected DON commands and activities. Timely and accurate notification is essential to Navy and Marine Corps implementation of the OS Treaty, and the key to accurate notifications is current information. The Naval Treaty Implementation Program (NTIP) maintains an OS notification database that has over 200 addressees. Echelon II Commanders determine which commands under their cognizance require notification and should be included in the database. All additions or deletions from the database **MUST** be approved by the Echelon II Commander. Information update packages were sent to all known Echelon II commands in January 2006. If you are an Echelon II Command and you have not received an update request from NTIP please contact us and we will have a package sent to you as quickly as possible.

In order to ensure that all Navy and Marine Corps commands are notified in a timely manner, NTIP sends IMMEDIATE Precedence message traffic to commands in the OS database. These messages require action on the part of receiving commands. All commands must respond – telephone, e-mail, fax, or standard naval message – upon receipt of OS Treaty related message traffic.

### **Message Traffic**

NTIP releases a series of seven messages to potentially affected commands. Again, **ALL** messages require confirmation of receipt. The *General Alert* message is sent after a country's intent to overfly receipt is received by the United States. Receiving commands are required to take two actions: (1) Notify NTIP of message receipt; and (2) Conduct an impact assessment based on the projected duration of the Treaty event.

Once impact information is gathered communicate the information to NTIP by the reply time specified in the *General Alert* message. The *Proposed Flight Plan* Message is sent to commands in the proposed flight path. Each command receives an individual message with an estimated window of vulnerability. This window is the time during which the command will be overflown and possibly imaged. Once the flight plan has been coordinated and agreed upon, NTIP sends the *Final Flight Plan* message to commands in the final flight path with an updated window of vulnerability. The *Stand Down* message is sent to commands **NOT** in the final flight path. Regional Airspace Coordinators receive the *Fixed Radial Distance* message, which includes latitude, longitude, aircraft speed, and altitude information. If a deviation is made to the final flight plan, NITP will issue the *Flight Update* message, providing an updated window of vulnerability for your command. The

*Flight Termination* message notifies all commands of the completion of the Open Skies mission.

### **What you can do**

- Keep database facility information current (e.g. POC, phone number, etc.)
- Guard for message traffic
- Develop procedures to handle Open Skies messages (including after duty hours) and conduct the command impact assessment
- Train CDOs/OODs and other command personnel involved with the

notification or impact assessment process

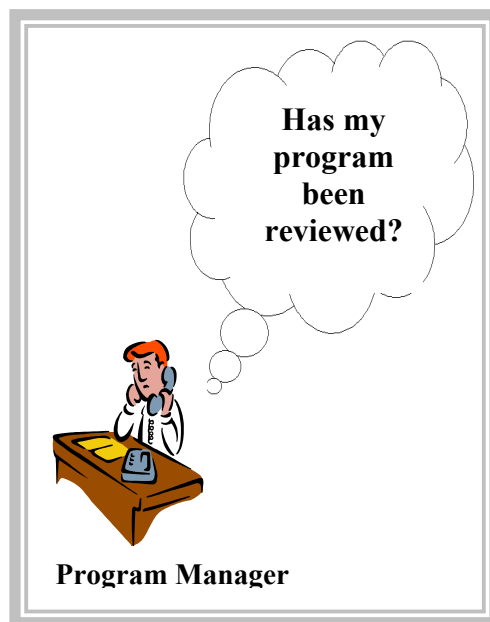
- Request training from NTIP. This is available at no cost to the requesting command. Please call 703-601-9646 or email [ntip@ssp.navy.mil](mailto:ntip@ssp.navy.mil)

This system works because everyone understands the importance of teamwork and the need to maintain a good operations security posture while complying with U.S. international treaty obligations. NTIP notification efforts are only as good as the information we receive from the fleet. Keep our information up-to-date and we will keep you informed.

## **COMPLIANCE ASSESSMENT PROGRAM (CAP)**

Navy and USMC Program Executive Officers, Program Managers, Commanding Officers and Operational Commanders face increasing scrutiny to ensure their programs and operations are compliant, and remain compliant, with arms control treaties, agreements and policies applicable to the United States. It is Department of Defense (DoD) and Department of the Navy (DON) policy to ensure that consideration of current and anticipated arms control compliance requirements, obligations, and directives are an integral part of policy planning, operations, and the acquisition process.

The Director, Strategic Systems Programs (DIRSSP) is the Executive Agent for DON arms control compliance and implementation (C&I) functions. The Naval Treaty Implementation Program's (NTIP's) Compliance



Assessment Program (CAP) is resourced to directly support Program Managers (PMs), at **no cost**, in assessing their program's compliance with treaties and agreements to which the United States is a signatory, has

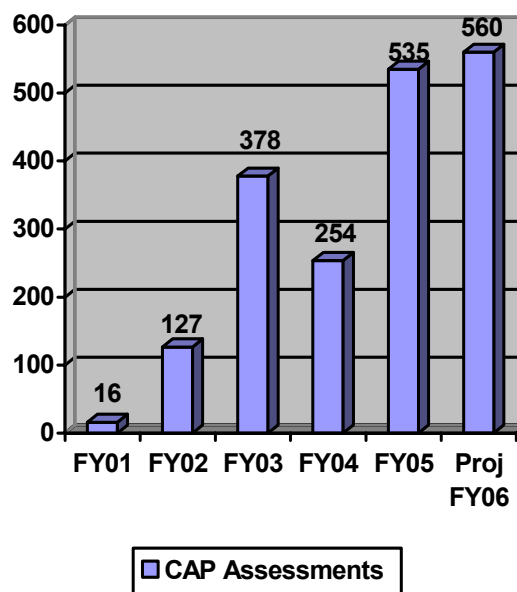
ratified or has issued policy positions. CAP utilizes existing program documentation provided by the PM to evaluate whether the program reasonably raises a compliance concern. NTIP provides a compliance assessment memorandum to the customer to satisfy their management or operational obligation with DoD and DON arms control directives, instructions, and implementing policies.

Navy and USMC Program Managers are encouraged to take advantage of the NTIP arms control compliance assessment expertise. It is never too early to request an arms control compliance assessment. NTIP conducts comprehensive compliance assessments, which include a focused international arms control legal review, on conceptual design, research and development, test and evaluation, and acquisition programs. Think of NTIP as an extension of the Program Office management team.

A program may raise or appear to raise compliance concerns that could inadvertently waste valuable resources or even trigger a serious international incident if not properly addressed. Early identification of and response to arms control concerns is imperative to reduce programmatic risk. NTIP has assisted

numerous Program Managers in obtaining, when appropriate, senior-level DON and DoD clearance to continue planned program development or operations without impacting schedule.

If you would like to have your program or activity assessed for arms control compliance, please contact [ntip@ssp.navy.mil](mailto:ntip@ssp.navy.mil). If you have any questions or would like an arms control compliance brief for your office please contact us at (703) 601-9646, DSN 329.



## INTERNATIONAL ATOMIC ENERGY AGENCY (IAEA)

### *NTIP to conduct a Nuclear Safeguards Data Call in Preparation for U.S.-IAEA Additional Protocol Entry Into Force*

NTIP intends to conduct a Nuclear Safeguards data call in preparation for

entry into force (EIF) of the U.S.-International Atomic Energy Agency



(IAEA) Additional Protocol (AP). Implementing legislation for the Additional Protocol (AP) was favorably reported out of the Senate Foreign Affairs Committee on 14 March 2006. While a Senate vote to adopt the legislation has yet to be scheduled, this action is necessary for the Additional Protocol to enter into force this year. Once EIF of the AP occurs, the U.S. Government will have 180 days to make its initial declaration of additional nuclear fuel cycle-related facilities, programs, and activities that will be subject to IAEA inspection. In the interest of national security, the United States has informed the IAEA that no DoD facilities, programs, or activities will be included as part of the declaration, thus no DON facilities, programs, or activities will be declared.

However, there is a provision in the AP that allows for short-notice (2-24 hours) complementary access inspections to verify the accuracy and completeness of declarations and to resolve questions or inconsistencies. It is through these inspections that DON nuclear and non-nuclear equities may be at risk due to their proximity or association with declared Departments of Commerce, Energy, or Nuclear Regulatory Commission licensed facilities, activities,

and programs. To manage the risk to DON equities under the complementary access provision, DON must be prepared to fulfill its obligation of preventing the compromise of classified/proprietary information.

To identify such DON equities, NTIP will be conducting an initial AP Data Call later this summer to begin the process of collecting information about DON facilities, programs, and activities that may be indirectly impacted by complimentary access inspections. With this information, NTIP will then be better able to assess the potential vulnerabilities of these equities to inspections and coordinate DON's response regarding facilities, programs, or activities proposed for declaration that may need to be limited or excluded from future visits or inspections. Subsequent Data Calls will follow as the full list of declarable facilities and activities becomes available.

If you have any questions regarding the US-IAEA AP, the NTIP AP Data Call, or DON's approach to compliance and implementation preparations, please contact NTIP at 703-601-9646 or by email at [NTIP@ssp.navy.mil](mailto:NTIP@ssp.navy.mil).

## ***THE TREATY ON OPEN SKIES AND YOU***

Since the Treaty on Open Skies was signed in 1992 (it entered into force in 2002), the Naval Treaty Implementation Program (NTIP) has been refining its methods for monitoring events and notifying Navy and Marine Corps

commands and facilities. The NTIP database is populated with those commands identified by their Echelon II commands as particularly vulnerable to the threat posed by the Open Skies program. It is through this database that

we identify which organizations will receive notification messages.

How does the treaty affect you? Since the end of the Cold War, military spending in most countries declined significantly. In many (if not all) cases, this included reduced spending on military intelligence, including space-based assets. While this treaty was intended to be part of the larger concept of "Confidence and Security Building Measures," the continued decline in Russian space-based capabilities makes these overflights particularly important to Russia for gathering military intelligence. As such, these overflights are potentially damaging to operational security. While commanders and facility managers continue to focus on the terrorist threat to their installations, they may be missing an important opportunity to counter a very manageable threat.

NTIP uses its database to notify affected commands of upcoming overflights. All organizations in the database will receive a notification message stating only that a flight will occur and the general time frame. This message provides a command with a minimum of 72 hours before the overflying organization enters the United States. All commands and facilities should use this time to complete a number of actions. Most important of these is the command's impact assessment. While each command must determine what, if any, impacts an overflight may have on operations or security, the command should, at a minimum, determine which operations should be cancelled, costs associated and schedule impacts due to cancellations, and if operations do continue, what intelligence could be

gathered from the photos taken. This information should then be forwarded to NTIP for evaluation and presentation at the DoD level. Changing an Open Skies overflight path is very difficult and would have national level ramifications. With that in mind, on completion of the assessment and report to NTIP, the command needs to do what it can to limit the impacts and reduce or eliminate possible compromises. It is also vital that commands or facilities notified interact with tenant commands. Because of the manner in which our database is constructed, there is no guarantee that we have reached all impacted organizations. While we do our best, we still count on commanders and facility managers having cognizance over what is occurring at their facilities.

The command will next receive one of two messages. If a command is to be overflown, it will receive a message with a vulnerability window. Development of this window is based on a proposed flight plan and the accompanying sensors capabilities. Understanding this vulnerability time will allow an organization to further establish what, if any, counterintelligence actions are required. If a command will not be overflown, it will receive a "standdown" message and should receive no further messages until the "termination" message is released. However, even after receiving a "standdown" message, an organization may receive an "update" message if their facility is later added through flight plan negotiations.

For those affected by the mission, the next message received may be an updated "vulnerability" message that will be based on the final negotiated flight



plan, if changes have been made to the proposed flight plan. Airspace managers will receive a “fixed radial distance” message, providing specific flight plan information required by organizations controlling the aircraft.

When the flight is complete, all commands will receive the “termination” message. Again, everyone needs to respond upon receipt. The message is your indication that the threat created by the Open Skies mission has passed and operations may return to normal.

When all is said and done, NTIP releases up to seven messages over a seven-day period, all of which must be responded to via phone, e-mail, fax, or standard naval message. These messages all serve a single purpose: Alert Navy and Marine Corps commands and facilities to a potential intelligence threat to their operations. It is up to each command to evaluate the threat and impacts and to take the necessary steps to lessen the operational impact and manage the intelligence threat. If nothing else, remember the following:

- 1) The Treaty on Open Skies is an open invitation for foreign intelligence gathering. The country conducting the mission has the right to keep

all photos taken during the mission, and each signatory country has the right to purchase these same photos.

- 2) The United States cannot refuse an overflight request by a signatory State Party. Even the National Capital Region may be overflowed.
- 3) The threat is manageable at the command level.

What can you do? Most importantly, each command can request that its Echelon II command place its information in our database. Once there, keep the information up-to-date. Next, each command should develop a readiness plan. NTIP provides a template that can be used or a command may develop its own. Next, request training from NTIP (at no cost to the command). Finally, each command should use due diligence in assessing an overflight’s impact and effectively manage the identified threat.

NTIP is the Department of the Navy’s treaty center of excellence. The organization exists to support the fleet and monitor the impact of various treaties and international agreements on Navy and Marine Corps organizations. Contact us at (703) 601-9646 or [ntip@ssp.navy.mil](mailto:ntip@ssp.navy.mil).

## Next Issue

Inspected Party Rights

## Feedback

How are we doing? Is there something you would like to see in the next issue? We appreciate any comments or suggestions you may have.

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## Interested in receiving the Treaty Times?

In order to e-mail you and your command this newsletter and other pertinent information regarding treaty compliance and implementation, please e-mail our office with the following information:

- Command Name
- Official Command E-mail Address
- Commanding Officer Name
- Commanding Officer Phone Number
- Treaty Point-of-Contact (POC) Name
- POC Official Business E-mail Address
- POC Phone Number

You can also contact us at 301-744-4206 (DSN 354), or e-mail [tsotreaty@ih.navy.mil](mailto:tsotreaty@ih.navy.mil)

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